

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RONALD BASKETT,

Plaintiff,

v.

STATE OF WASHINGTON *et al.*,

Defendants,

Case No. C06-5130FDB

REPORT AND
RECOMMENDATION

**NOTED FOR:
JULY 21st, 2006**

This 42 U.S.C. § 1983 Civil Rights has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. This action was filed in March of 2006. (Dkt. # 1). Plaintiff alleges he was unlawfully denied a transfer to work camp, that the amount of funds in his account is improper, and that he is not being properly medicated. Plaintiff failed to connect any allegation with a named defendant. Further, he has no liberty interest in transfer to any given facility. Hewitt v. Helms, 459 U.S. 460 (1983). The court ordered plaintiff to file an amended complaint and he has not done so. (Dkt. # 10). The court specifically warned plaintiff:

If an amended complaint is not timely filed, or if plaintiff fails to adequately correct the deficiencies identified in this Order, the Court will recommend dismissal of this action as frivolous.

(Dkt. # 10).

1 Plaintiff has not complied with the court's order to amend and has instead filed "motions for
2 clarification" in which he argues he has a liberty interest in proceeding to work camp.

3 The court recommends the action be **DISMISSED WITH PREJUDICE** for the reasons stated in the
4 order to amend and for failure to comply with a court order. (Dkt. # 10). A proposed order accompanies this
5 Report and Recommendation. This dismissal will count as a strike under 28 U.S.C. 1915 (g).

6 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal rules of Civil Procedure, the
7 parties shall have ten (10) days from service of this Report to file written objections. *See also* Fed. R. Civ.
8 P. 6. Failure to file objections will result in a waiver of those objections for purposes of appeal. Thomas v.
9 Arn, 474 U.S. 140 (1985). Accommodating the time limit imposed by Rule 72(b), the clerk is directed to
10 set the matter for consideration on **July 14th, 2006**, as noted in the caption.

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12 DATED this 29th day of June, 2006.

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14 /s/ J. Kelley Arnold
15 J. Kelley Arnold
16 United States Magistrate Judge
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